IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
THURSDAY, THE SEVENTEENTH DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MRS JUSTICE T.MEENA KUMARI
WRIT PETITION NO : 13236 of 1994

Between:

1 Reddy Mahalaxmi W/o. Late Nookanna
residing at Theeda village, Makavarapalem Mandal, Visakhapatnam District.
2 Kotana Nooka Raju S/o. Late Appalaswamy
residing at Theeda village, Makavarapalem Mandal, Visakhapatnam District.
3 Pyla Potha Raju S/o Late Venkayya
residing at Theeda village, Makavarapalem Mandal, Visakhapatnam District.
4 Kotana Ganga Raju S/o. Late Appanna
residing at Theeda village, Makavarapalem Mandal, Visakhapatnam District.
5 Chinta Yerukulu S/o. Late Ramaswamy
residing at Theeda village, Makavarapalem Mandal, Visakhapatnam District.
6 Gogada Yerranna S/o. Late Kannayya
residing at Theeda village, Makavarapalem Mandal, Visakhapatnam District.
7 Reddy Simhachalam s/o. Late Appadu
residing at Theeda village, Makavarapalem Mandal, Visakhapatnam District.
8 Reddy Pothu Raju S/o Late Venku Naidu
residing at Theeda village, Makavarapalem Mandal, Visakhapatnam District.
9 Reddy Demudu S/o Late Nookanna
residing at Theeda village, Makavarapalem Mandal, Visakhapatnam District.
10 Reddy Pothu Raju S/o. Late Pothu Raju
residing at Theeda village, Makavarapalem Mandal, Visakhapatnam District.
11 Reddy Simhachalam W/o Late Venkunaidu
residing at Theeda village, Makavarapalem Mandal, Visakhapatnam District.
12 Gorle Demudamma W/o Late Musali
residing at Theeda village, Makavarapalem Mandal, Visakhapatnam District.
13 Reddy Mahalaxmi S/o Late China Nookanna
residing at Theeda village, Makavarapalem Mandal, Visakhapatnam District.
14 Reddy Sanni Babu S/o Late Ramaswamy
residing at Theeda village, Makavarapalem Mandal, Visakhapatnam District.
15 Kothana Atchi Babu S/o Late Nookayya
residing at Theeda village, Makavarapalem Mandal, Visakhapatnam District.
16 Pyla Swamy Naidu S/o Late Venkayya
residing at Theeda village, Makavarapalem Mandal, Visakhapatnam District.
17 Pyla Musalayya S/o Late Venkayya
residing at Theeda village, Makavarapalem Mandal, Visakhapatnam District.
18 Sami Reddy Sannibabu S/o Late Chinnayya
residing at Theeda village, Makavarapalem Mandal, Visakhapatnam District.
19 Samireddy Demudu S/o Late Musalayya
residing at Theeda village, Makavarapalem Mandal, Visakhapatnam District.
20 Kothana Demudu S/o Late Appanna
residing at Theeda village, Makavarapalem Mandal, Visakhapatnam District.
21 Reddy Challamma W/o Late Kittayya
residing at Theeda village, Makavarapalem Mandal, Visakhapatnam District.

22 Katchala Nookalamma W/o Late Ramu Naidu
residing at Theeda village, Makavarapalem Mandal, Visakhapatnam District.

23 Katchala Chinnayya S/o Late Pedda Appanna
residing at Theeda village, Makavarapalem Mandal, Visakhapatnam District.
24 Kothana Musalayya S/o. Late Appanna
residing at Theeda village, Makavarapalem Mandal, Visakhapatnam District.
25 Kothana Demudu S/o Late Bullodu
residing at Theeda village, Makavarapalem Mandal, Visakhapatnam District.
26 Katchala Ganganna S/o Late Appanna
residing at Theeda village, Makavarapalem Mandal, Visakhapatnam District.
27 Kothana Mahalaxmi S/o Late Musali
residing at Theeda village, Makavarapalem Mandal, Visakhapatnam District.
28 Kothana Demudu @ Thotalo Demudu S/o. Late Appanna
residing at Theeda village, Makavarapalem Mandal, Visakhapatnam District.
29 Chukka Gangamma W/o Demudu
residing at Theeda village, Makavarapalem Mandal, Visakhapatnam District.
30 Kannuru Demudu S/o Late Sanyasi
residing at Theeda village, Makavarapalem Mandal, Visakhapatnam District.
31 Kothana Ganga Raju S/o Late Nookayya
residing at Theeda village, Makavarapalem Mandal, Visakhapatnam District.
32 Kothana Nooka Raju S/o Late Appanna
residing at Theeda village, Makavarapalem Mandal, Visakhapatnam District.
33 Kothana Ramulu S/o Late Appanna
residing at Theeda village, Makavarapalem Mandal, Visakhapatnam District.
34 Kothana Yeerappa S/o Late Yerrayya
residing at Theeda village, Makavarapalem Mandal, Visakhapatnam District.
35 Gorapooti Narasayya S/o Ganganna
residing at Theeda village, Makavarapalem Mandal, Visakhapatnam District.
36 Goraputi Tatabbayai S/o Late Appanna
residing at Theeda village, Makavarapalem Mandal, Visakhapatnam District.
37 Surla Tatabbayyai S/o Late Pothu Raju
residing at Theeda village, Makavarapalem Mandal, Visakhapatnam District.
38 Surla Nookaraju S/o Pothuraju
residing at Theeda village, Makavarapalem Mandal, Visakhapatnam District.
39 Kothana Yerranna S/o Late Pothuraju
residing at Theeda village, Makavarapalem Mandal, Visakhapatnam District.
40 Kothana Mahalaxmi S/o. Late Nookayya
residing at Theeda village, Makavarapalem Mandal, Visakhapatnam District.
41 Kallempudi Venkanna S/o Late Swamy
residing at Theeda village, Makavarapalem Mandal, Visakhapatnam District.
42 Kothana Demudu S/o Late Musalayya
residing at Theeda village, Makavarapalem Mandal, Visakhapatnam District.
43 Adigarla Nookalamma W/o Late Acchayya
residing at Theeda village, Makavarapalem Mandal, Visakhapatnam District.
44 Siriki Ganganna S/o Late Appanna
residing at Theeda village, Makavarapalem Mandal, Visakhapatnam District.
45 Siriki Rajababu S/o Late Appanna
residing at Theeda village, Makavarapalem Mandal, Visakhapatnam District.
46 Siriki Simhachalam W/o Late Demudu
residing at Theeda village, Makavarapalem Mandal, Visakhapatnam District.

..... PETITIONERS

AND

1 The Special Deputy Collector (Land Acquisition) Yeleru Left Main Canal, Anakapalli.
2 The Revenue Divisional Officer, Narsipatnam, Visakhapatnam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to declare the impugned action of the respondents in not referring the matter to Civil Court under Section 18 of the Land Acquisition Act as natural justice besides violative of Articles 14 and 21 of the Constitution of India, by issuing a writ, order or direction more particularly one in the nature of writ of mandamus and may be further directed the respondents to refer the matter/case of the petitioners herein to Civil Court concerned under Section 18 of the Land Acquisition Act for determining proper compensation for the lands to a total extent of Ac.12-28 cents situated at Theeda village, Mallavarampalem Mandal, Visakhapatnam District acquired by the 2nd respondent herein and to pass such other order or orders.

For the Petitioner:MR.Y.RAMA RAO

For the Respondent No.: GP FOR REVENUE

The Court Made the Following :

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ORDER:

This Writ Petition has been filed to declare the action of the respondents in not referring the matter to the Civil Court under Section 18 of the Land Acquisition Act as illegal besides violation of Art.14 and 21 of the Constitution of India and further sought a direction to refer the case of the petitioners herein to the concerned Court under Section 18 of the Land Acquisition Act for determining proper compensation for their lands.

It has to be observed that the award was passed on 26.12.1983 and the writ petition was filed in 1994 i.e., nearly after 10 years. In view of the abnormal delay of 10 years in filing the writ petition, the cause in the writ petition needs no consideration. Hence, this Writ petition is liable to be dismissed and it is accordingly dismissed. No costs.

REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Special Deputy Collector (Land Acquisition) Yeleru Left Main Canal, Anakapalli.
2 The Revenue Divisional Officer, Narsipatnam, Visakhapatnam District.
3. 2CCs to GP FOR REVENUE, High Court Buildings, (O.U.T.)
4. 2CD copies

5. One spare copy.

*Form-NIC-OGS/WP{**ND**}*